IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE

NOTICE OF MOTION NO.442 OF 2006
IN
APPEAL NO.129 OF 1997
IN
WRIT PETITION NO.639 OF 1996

Ardeshir P. Banaji — Appellant
vs.
Union of India & ors. — Respondents

Mr.Umesh Shetty i/b.M/s.Umesh Shetty & Co. for the appellant.

Mr.Y.R.Mishra for the respondents.

CORAM : R. M. LODHA &
J. P. DEVADHAR,JJ.

DATED : 10th April, 2006

P.C.

Heard.

2. For the reasons stated in the affidavit of Shri Umesh Shetty, advocate dated 13th February, 2006, we are satisfied that the appellant's advocate was prevented by sufficient cause in appearing before this Court on 13th February, 2006 when the case was dismissed in default.

3. We, accordingly, recall the order dated 13th February, 2006 and restore the appeal to file.

4. Notice of motion stands disposed of.

(R.M. LODHA,J.)

(J.P. DEVADHAR,J.)